



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
A. G. Kawamura, Secretary

TITLE 3. FOOD AND AGRICULTURE
DIVISION 2. ANIMAL INDUSTRY
CHAPTER 2. LIVESTOCK DISEASE CONTROL (ANIMAL QUARANTINE)

New article 13 (sections 821-821.5) filed 4-1-2008; operative 5-1-2008 (OAL Register 2008, No. 14)

ARTICLE 13. INTERSTATE MOVEMENT OF POULTRY

Section 821. Definitions.

(a) As used in this article:

(1) "Animal" means poultry.

(2) "Department" means the Department of Food and Agriculture.

(3) "Poultry" means all chickens, turkeys, turkins, pheasants, Peafowl, guinea fowl, quail, ducks, geese, swans, gallinules, doves, pigeons, grouse, partridges, francolin, tinamou, ostriches and other ratites (including but not limited to the rhea, emu and cassowary) and hatching or embryonated eggs as such.

(4) "Treatment" means to test, clean, decontaminate, disinfect, dip, medicate, vaccinate, or destroy a population of animals, animal product, and/or premises, equipment, and other materials that may have been contaminated by the condition affecting the population of animals, or animal product.

(5) "USDA" means the United States Department of Agriculture.

NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9561, 9562, 9570 and 9574, Food and Agricultural Code.

Section 821.1. General Requirements.

(a) Certain conditions of avian species and poultry must be reported to the Department within specified timeframes, pursuant to section 9101 of the Food and Agricultural Code and section 797 of Title 3 of the California Code of Regulations. The List of Reportable Conditions for Animals and Animal Products may be obtained by contacting the Department, or by accessing the Department's Internet web site at <http://www.cdfa.ca.gov>.

(b) The provisions of this article are in addition to other provisions that may be required for moving poultry into and within California as specified in statute or regulation.

(c) Any person transporting poultry into or within California shall produce official documents upon request by the Department or other officials to prove that the requirements of this article are met. Official documents include a Certificate of Veterinary Inspection, and an Interstate Livestock Entry Permit number when required pursuant to section 821.4(c), with attachments, for each load or part of a shipment. Poultry in any load or part of a shipment may be inspected en route or after arrival.

NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9101, 9561, 9562, 9570 and 9574, Food and Agricultural Code.

Section 821.2. Certificate of Veterinary Inspection.

(a) A Certificate of Veterinary Inspection is a numbered interstate document that is a record of veterinary health inspection of one or more animals, issued on an official form of the state of origin and by a USDA accredited and state licensed veterinarian from the state of origin.

(b) A Certificate of Veterinary Inspection shall include all of the following:

(1) Date of inspection;

- (2) Number of animals in the consignment;
- (3) Description of the animals including the species, breed, age, weight, color, markings, and sex, and the official identification number(s) or registration tattoos;
- (4) Name, address, and telephone number of the consignor, consignee, and the origin and destination of the animals;
- (5) Interstate livestock entry permit number, when required;
- (6) Statement of the purpose for which the animals are being moved;
- (7) Statement that the imports and flock of origin are free of evidence of contagious diseases;
- (8) Signed by the USDA accredited and state licensed veterinarian who examined the animals in the shipment and acknowledging that the certificate is true and accurate;
- (c) A copy of the completed Certificate of Veterinary Inspection shall be mailed to the Department within 15 days of examination to the following address: Department of Food and Agriculture, Animal Health Branch, 1220 "N" Street, Room A-107, Sacramento, California 95814.
- (d) The examining USDA accredited and state licensed veterinarian shall indicate on the Certificate of Veterinary Inspection that each animal in the shipment meets California entry requirements.
- (e) As an alternative to official identification on a Certificate of Veterinary Inspection pursuant to subsection (b)(3), another animal identification document may be used if approved by the Department and the USDA.
- (f) The Department may require a Certificate of Veterinary Inspection for animals entering California because of a disease condition in another state, even though the animals are exempt from obtaining a Certificate of Veterinary Inspection under this article.
- (g) All animals shall be transported directly and without delay to the destination stated on the Certificate of Veterinary Inspection.
- (h) A Certificate of Veterinary Inspection shall be valid for 30 days following the inspection of the animals described.

NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9561, 9562, 9570 and 9574, Food and Agricultural Code.

Section 821.3. Interstate Livestock Entry Permits.

- (a) An Interstate Livestock Entry Permit may be required for the importation of animals into California pursuant to the requirements of this article.
- (b) An Interstate Livestock Entry Permit is a numbered document issued by the Department for approving the movement of animals that meet entry requirements into California.
- (c) Requests for Interstate Livestock Entry Permits shall be made to the Department's Animal Health Branch before the animals are transported to California. Requests for entry permits may be made by telephone, electronic transmission, or other means approved by the Department. Written application may be required when necessary to accomplish the purposes of this article.
- (d) Each Interstate Livestock Entry Permit shall have a unique number and the number may be issued to the applicant by telephone or other electronic means approved by the Department. A copy of the permit will not be sent to the applicant unless specifically requested or it is needed to accompany a shipment.
- (e) The applicant for the Interstate Livestock Entry Permit shall establish that all animals in the shipment meet California entry requirements, and possess a Certificate of Veterinary Inspection when required.
- (f) The applicant for the Interstate Livestock Entry Permit shall provide the Department with the following information:
 - (1) Name, address, and telephone number of the shipper or importer;
 - (2) Origin of the shipment;
 - (3) The number and description of the animals being shipped including species, breed, age, sex, and purpose for which the animals will be used.
 - (4) Name, mailing address, and telephone number of entity receiving the animals, or a geographic destination if animals are not being received at the destination mailing address;

- (5) Name, address, and telephone number of a contact person in California, if not the owner; and the name, address, and telephone number of the person requesting the permit;
 - (6) Certificate of Veterinary Inspection number, if available;
 - (7) Name of the flock veterinarian, if available; and
 - (8) Must meet the entry requirements for the type of animals entering California.
 - (g) When required, Interstate Livestock Entry Permits are issued for the entire shipment of animals, which may consist of one or more loads.
 - (h) All animals shall be transported directly and without delay to the destination stated on the Interstate Livestock Entry Permit.
 - (i) The State Veterinarian may deny the request for an Interstate Livestock Entry Permit pursuant to sections 9562 and 9570 of the Food and Agricultural Code.
 - (j) Interstate Livestock Entry Permits shall expire 15 days after issuance.
- NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9561, 9562, 9570 and 9574, Food and Agricultural Code.

Section 821.4. Requirements for Entry of Poultry.

- (a) Poultry imported into California shall be free from evidence of Avian Influenza and Exotic Newcastle Disease, and all other contagious diseases.
 - (b) All poultry imported into California require a Certificate of Veterinary Inspection, except:
 - (1) Poultry originating from flocks rated or classified as Pullorum-Typhoid Clean or Free by the National Poultry Improvement Plan and the Auxiliary Provisions on the National Poultry Improvement Plan, and accompanied by VS Form 9-3 (Report of Sales of Hatching Eggs, Chicks, and Poults) in accordance with 9 CFR Part 145, Part 146, and Part 147 (2007), which are incorporated by reference including additional National Poultry Improvement Plan forms (if any) as provided by the USDA.
 - (c) Pursuant to Food and Agricultural Code sections 9562 and 9570, the State Veterinarian may impose additional quarantine, Interstate Livestock Entry Permit, Certificate of Veterinary Inspection, or treatment requirements on imported poultry or poultry products because of a condition in another state, whether or not the animals are exempt under this article.
- NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9561, 9562, 9570 and 9574, Food and Agricultural Code; and 9 CFR Parts 145, 146 and 147 (2007).

Section 821.5. Violations.

- (a) Failure to comply with any part of this article constitutes a violation.
 - (b) The Department shall act consistent with any existing enforcement authority concurrently or at a later date unless otherwise prohibited. Such authority includes, but is not limited to, the following:
 - (1) Denial, suspension, or revocation of a license, registration, certificate, permit, exception, or other indicia of authority issued by the Department;
 - (2) Civil or administrative penalties;
 - (3) Referral to the appropriate District Attorney or the Attorney General for criminal prosecution or other appropriate remedy; and,
 - (4) Reimbursement to the Department for any costs incurred due to any violation of this article.
- NOTE: Authority cited: Section 407, Food and Agricultural Code. Reference: Sections 9561, 9562, 9570 and 9574, Food and Agricultural Code.

